

STATE OF CALIFORNIA
FISH AND GAME COMMISSION
INITIAL STATEMENT OF REASONS FOR REGULATORY ACTION
(Pre-publication of Notice Statement)

Amend Section 300(a),
Title 14, California Code of Regulations
Re: Resident Upland Game Birds

I. Date of Initial Statement of Reasons: April 8, 2003

II. Dates and Locations of Scheduled Hearings:

(a) Notice Hearing: Date: May 8, 2003
Location: Riverside, California

(b) Discussion Hearing: Date: June 20, 2003
Location: Mammoth Lakes, California

(c) Adoption Hearing: Date: August 2, 2003
Location: Long Beach, California

III. Description of Regulatory Action:

(a) Statement of Specific Purpose of Regulation Change and Factual Basis for Determining that Regulation Change is Reasonably Necessary:

Existing regulations [Section 300(a)(1)(D)(4)] allow 100 two-bird permits for the East Lassen Zone, 40 two-bird permits for the Central Lassen Zone, 25 one-bird permits for the North Mono Zone, and 25 one-bird permits for the South Mono and Inyo Zone. Under the current regulatory cycle, the first Fish and Game Commission notice hearing date for sage grouse regulation changes occurs in May. However, the final sage grouse population survey results are not available until after the date that the Department must submit proposed regulation changes to the Commission. The Department proposes a range of maximum and minimum hunting permit numbers to the Commission, with the provision that the actual number of permits recommended for each hunt will be based on the April strutting ground and June brood count surveys.

The proposed ranges are 10 to 375 permits for the East Lassen Zone, 10 to 175 permits for the Central Lassen Zone, 10 to 100 permits for the North Mono Zone, and 10 to 100 permits for the South Mono and Inyo Zone. To allow the Department to recommend appropriate hunting permit

quotas which reflect the results of population surveys, ranges of permit quotas are proposed at this preliminary stage in the regulation review process.

- (b) Authority and Reference Sections from Fish and Game Code for Regulation:

Authority: Sections 200, 202, 203, and 355, Fish and Game Code.

Reference: Section 200, 202, 203, 203.1, 208, 215, 220, 355 and 356, Fish and Game Code.

- (c) Specific Technology or Equipment Required by Regulatory Change: None

- (d) Identification of Reports or Documents Supporting Regulation Change:

Draft Environmental Document Regarding Resident Game Bird Hunting

- (e) Public Discussions of Proposed Regulations Prior to Notice publication:

Public meetings to discuss environmental documents prepared to describe hunting regulations, including those for resident game birds were held in Sacramento on December 12, 2002, and January 6, 2003, respectively.

IV. Description of Reasonable Alternatives to Regulatory Action:

- (a) Alternatives to Regulation Change:

An alternative would be to adjust the season length for sage grouse, rather than adjust the number of permits issued. The Department has considered this alternative and found it to be inadequate because it would not allow the harvest to be adjusted significantly according to spring population surveys. The current season is only two days and, therefore, does not give adequate latitude for lowering harvest.

- (b) No Change Alternative:

The no change alternative was considered and found to be inadequate because it would not allow the Department to adjust the number of permits based on the status of the population, which could result in over harvest or unnecessary reduction of hunting opportunity.

- (c) Consideration of Alternatives: In view of information currently possessed, no reasonable alternative considered would be more effective in carrying out the purposes for which the regulation is proposed or would be as effective and less burdensome to the affected private persons than the

proposed regulation.

V. Mitigation Measures Required by Regulatory Action:

The proposed regulatory action will have no negative impact on the environment; therefore, no mitigation measures are needed.

VI. Impact of Regulatory Action:

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

(a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businesses to Compete with Businesses in Other States:

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The nature of these regulatory changes is directed at wise stewardship and would have no significant adverse effect on businesses.

(b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California: None

(c) Cost Impacts on a Representative Private Person or Business:

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

(d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.

(e) Nondiscretionary Costs/Savings to Local Agencies: None.

(f) Programs mandated on Local Agencies or School Districts: None

(g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4: None.

(h) Effect on Housing Costs: None.

Informative Digest/Policy Statement Overview

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